

UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>United States of America</p> <p>vs</p> <p>170.00 Acres of Land, More or Less, Situates in Nowata County, State of Oklahoma, and Lewis Petroleum Com- pany, et al, and Unknown Owners</p>		<p>For plaintiff:</p> <p>Hubert A. Marlow <i>Jack Short</i></p> <p>For defendant:</p> <p>Richard G. Harris (<i>EVANS</i>) 117 E. Frank Phillips Bartlesville, Oklahoma 74003 <i>(336 -1377)</i></p> <p>W. E. Maddux P. O. Box 349 Nowata, Okla 74048</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>5-1-71</i>	Clerk	1/22/74	Harris	5 00	
		1-24-74	C/D #28		5 00
J.S. 6 mailed <i>1-1-74</i>	Marshal	5-28-74	Harris	130 40	
		5-30-74	C/D #47		130 40
Basis of Action: Land Condemnation	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-2-71	Complaint filed.h	
4-2-71	Declaration of Taking filed.h	
4-2-71	Notice filed.h	
4-2-71	Motion for Order for Delivery of Possession filed.h	
4-13-71	Order for delivery of possession, filed. (Fred Daugherty - Judge)	
4-23-71	Returns on service, filed. Served Helen Mae Barr unable to be served, moved & left no address; Alma Jewell Barnes moved, left no address; Ethel W. Mancill moved, left no address; Julia J. Harmon, trustee of the Pearl M. Harmon & Julia J. Harmon Foundation, George L. Hangs, trustee of the Pearl M. Harmon & Julia J. Harmon Foundation, Board of County Commissioners, County Assessor, & County Treasurer all served in Nowata, Okla. on 4-15-71; served Hugh Conine, trustee of the Pearl M. Harmon & Julia J. Harmon Foundation, George W. Lee, trustee of the Pearl M. Harmon & Julia J. Harmon Foundation, L. A. Leffler, trustee of the Pearl M. Harmon & Julia J. Harmon Foundation, The First Natl. Bank of Nowata, trustee of the Pearl M. & Julia J. Harmon Found., Lewis Petroleum Co., Victory Natl. Bank of Nowata, all in Nowata, Okla. on 4-21-71; served Arthur H. Sherwood in Delaware, Okla. on 4-20-71; unable to serve S. R. Evans (not known); served State of Okla., ex rel, Okla. Tax Commission in Okla. City on 4-15-71.m	
4-29-71	Disclaimer of Oklahoma Tax Commission, filed. b	
5-11-71	Return on service of writ, filed: served C. W. Chapman at Freeport, Ill. 4-22-71. g	
7-13-71	Ret. on service of writ, filed: served S. R. Evans at Dewey, Ok., 7-12-71. g	
7-26-71	Notice of appearance of S. R. Evans, defendant, filed. ds	
9-10-71	Plaintiff's Certification for Service by Publication, filed. v	
9-17-71	Return on U.S. Marshals Service, N & O, filed. Unable to Serve Mays Teague in Chula Vista, Calif. v	
10-19-71	Certificate of publication and mailing, filed. ds	
5-8-72	Order appointing Comms., Kenneth L. Stainer as Chairman, J. E. Devine and James Unruh, and denying jury trial, filed. (FD-J)r (Copies to Comms.)	
6-6-72	Instructions to Commissioners, filed. (Fd-J)r (copies mailed)	
6-8-72	Case set for trial by Commrs., 9:30 a.m., July 25, 1972. g	
7-3-72	Obj. to inst. by pltf., filed. rm	
7-3-72	Order overruling pltf. obj. to inst. to commrs. (FD-J) rm <i>copy mailed</i>	
9-19-72	Case set for trial by Commrs., 9:30 a.m., Oct. 26, 1972. (Rm. 4-531)	
10-31-72	Oath of office of commissioners, filed. hm	
11-1-72	Trial exhibits, filed by court reporter. rm	
3-21-73	REPORT OF COMMISSIONERS, filed. r (Copies mailed to Commrs., Judge, deft. atty. & J. Short) (Notice to all landowners sent 3-27-73)	
4-5-73	Request of S.R. Evans, def. for extension of time of 45 days in which to file objections to the Commissioner's report filed. h sent	
4-6-73	Plaintiff's Objections to Rpt. of Commissioners as to Working Int., filed. jj <i>Walt</i>	
4-6-73	Order filed, that request of S.R. Evans for ext of time to file objs to Commrs's Report is granted until 5-21-73, (FD-J) (Copies mailed.) r	
4-20-73	Order filed, that this matter should be remanded to Commrs., filed. (FD-J)r (Copies mailed)	

(Cont)

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-17-73	Judgment filed & entered, that report of commrs filed on 3-21-73 is hereby confirmed as it applies to the lessor (royalty) int. and \$2,100.00 is adopted as the award of just compensation (FD-J)r (Copies mailed)	
8-6-73	✓ Amended Report of Commrs, filed. (Copies mailed to Commrs., Judge, Deft attys & U.S. Atty) (Notice sent to all landowners on 8-6-73)	
8-15-73	Request of S. R. Evans for extension of time to file objections to amended report of commrs., filed. g <i>Oto g</i>	
8-16-73	✓ Pltf.'s objections to amended report of commissioners as to working interest, filed. v <i>mailed to F D 8-17 with file</i>	
8-20-73	Order filed, denying the Request for ext. of time of S.R. Evans (FD-J)r Copies mailed.	
8-22-73	Motion filed, requesting permission to file obj of Evans, out of time filed. r <i>Mailed w/ords and obj & Brief</i>	
8-24-73	✓ Order filed, granting deft S.R. Evans permission to file objs to Commrs report, filed. (FD-J)r (Copies mailed)	
8-24-73	✓ Objs to Amended Report of Commrs as to oil payment filed by deft. Evans, filed. r	
8-24-73	Brief of deft Evans, in support of objs., filed. r	
8-24-73	Cpy of ltr dated 8-23-73 from F.D. to defts' attys, stating that defts are directed to respond to pltf's obj within 10 days (Due 9-2). If objs are opposed, it is desired that response be supported by a brief. filed. r	
8-27-73	b. Cpy of ltr dated 8-24-73 from F.D. to J. Short, stating that Pltf and any other defts who desires to respond to Objs of Evans do so with supporting brief within 10 days (Due 9-3) If objs are not opposed, a supporting brief will not be necessary, filed. r	
9-4-73	✓ Pltf's Response to deft Evans Objs to amended report of Commrs as to oil payment, filed. r <i>Mailed</i>	
9-17-73	Claim of Commissioners, filed. jj	
9-26-73	Order, filed, for Payment to Commissioners. (FD-J)v	
9-27-73	Cpy of ltr., 9/26/73, from F.D. to counsel, advising if ct. does not hear from counsel for Lewis Pet. by 10/5/73, will assume Lewis joins in pltf. obj. to report. (FD-J)rm	
10-24-73	Reply brief of deft. Lewis Petroleum Company, filed. g <i>to F D</i>	
12-26-73	Judgment, filed and entered, affirming Amended Rept. of Commrs. of 8/6/73 and overruling objs. of Evans. (FD-J)rm <i>Copies mailed</i>	
1-15-74	Supplemental Judgment, filed and entered. Ordered that the amended report of commissioners fld on 8-6-73 is confirmed & \$30,563.00 is adopted as just compensation for working interest including Evans oil payment & should be disbursed. Ordered that U.S.A. shall pay into Registry of Court \$20,163.00 with interest at rate of 6% per annum from 4-2-71. Clerk shall disburse deposit, when it's made. (FD-J)v <i>copies mailed</i>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-21-74	Notice of appeal by def. S. R. Evans from final judg. and suppl. judg., filed. rm (copies to counsel and USCA)	
1-21-74	Bond for costs on appeal (\$250 cash), filed. rm	
1-21-74	Designation of contents of record, filed. rm	
1-21-74	Statement of points on appeal, filed. rm	
2-7-74	Transcript of Land Commissioner Hearing held 10-31-72 & 11-1-72, taken by Millie Ballard, L.S.R., filed. v	
2-15-74	Appeal record (3 vols.) sent to USCA. g	
5-13-74	Dismissal of appeal by USCA on motion for dismissal presented by appellant, filed. g	
5-14-74	Appeal record (3 vols.) rec'd. from USCA. g	
5-14-74	Pltf's Bill of Costs, filed. g	
5-16-74	Costs taxed against S. R. Evans in sum of \$130.40. g	
5-20-74	Order to disburse \$250 cash appeal bond to S. R. Evans, filed.(AEB-J)g	
5-28-74	Costs paid. g	
9-26-74	Order of disbursal, filed. (FD-J)k <i>cps issued by U.S. Atty.</i>	